

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

WESLIE MARTIN,

Petitioner,

Case No. 3:22-cv-00101-LRH-CLB

ORDER

V.

WILLIAM REUBART, et al.,

Respondents.

9 Respondents have filed a motion for extension of time (first request) to file and serve their
10 answer to Petitioner Weslie Martin's petition for writ of habeas corpus. (ECF No. 28.)
11 Respondents' request is based on needing additional time because (1) the Attorney General's Post-
12 Conviction Division is currently understaffed, (2) the Deputy Attorney General assigned to the
13 case took annual leave for a week in December, and (3) the Deputy Attorney General assigned to
14 the case has recently had to finish an answering brief and prepare for an oral argument in two other
15 cases. (*Id.*) Martin opposes the request, explaining that this Court warned against future extensions,
16 the extension request was untimely, and the reasons for the extension are not extraordinary. (ECF
17 No. 29.)

18 The Court finds good cause to grant Respondents' motion for extension of time. First, in
19 this Court's order filed on December 9, 2022, it gave Respondents 30 days to file their answer.
20 That 30 days expired on January 7, 2023, but because January 7, 2023, was a Saturday,
21 Respondents' answer was originally due on January 9, 2023. As such, Respondents' motion for
22 extension of time, which was filed on January 9, 2023, was timely. Secondly, this Court's warning
23 that "future requests for extensions . . . [would] be viewed unfavorably unless extraordinary

1 circumstances are presented" was in regard to Respondents' filing of their motion to dismiss. (ECF
2 No. 13.) Third, Respondents' request for a thirty-two-day extension is reasonable. This Court
3 warns, however, that it will not tolerate excessive extension requests of the current deadline.

4 IT IS THEREFORE ORDERED that Respondents' motion for extension of time (first
5 request) (ECF No. 28) is **granted**. Respondents will have up to and including February 10, 2023,
6 to file their answer on the merits of the remaining claims in Martin's habeas petition.

7 DATED THIS 23rd day of January 2023.

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9 LARRY R. HICKS
10 UNITED STATES DISTRICT JUDGE

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